

Fair Political Practices Commission

Memorandum

To: Chairman Randolph, Commissioners Blair, Downey, Karlan, and Knox

From: Theis Finlev, Executive Fellow
Mark Krausse, Executive Director

Subject: Legislative Report

Date: January 7, 2005

The Legislature's 2005-06 Session is underway. The deadline for introductions is February 18th, and committee hearings will begin in earnest in early March.

Action Items	Additions/Modifications to Commission-sponsored Legislation
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Govt. Code sec. 1090 pilot project

Staff recommends the following change to sec. 83114.5 (a)(4) of the draft language:

The opinion, when issued shall be evidence of good faith conduct in any other civil ~~or criminal~~ proceeding, if the requester disclosed truthfully all the material facts, and committed the acts complained of in reliance on the advice.

Clarifies timing of "24- and 48-hour reports"

Staff recommends the Commission add the following language to the Act:

Notwithstanding any other provision of law, when a report or statement is required to be filed under this title and the deadline for the report or statement falls on a Saturday, Sunday, or a state holiday, the deadline will be extended to the next regular business day. This subdivision does not apply to any report or statement required to be filed within 24 or 48 hours.

Action Items	Bills Amending the Political Reform Act
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Bill No.	Author	Title	Introduced/Amended
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AB 16	Huff	Campaign Contributions	12/6/04
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This bill prohibits the Governor or a member of the Legislature from accepting any campaign contributions between the date of the May budget revision and the date of the enactment of the budget bill for the upcoming fiscal year. **In Assembly Elections. Recommendation: Oppose unless amended.**

AB 40	Wolk	Conflict of interest: lobbying interests	12/6/04
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This bill prohibits lobbyists who contract with an elected state officer from lobbying that officer, his or her staff or the staff of any committee the member chairs, and requires notification to the Secretary of State by lobbyists who enter into a contractual agreement with an elected state officer. AB 40 also requires that any payment conditioned on the outcome of an election be disclosed in pre-election reports. **In Assembly Elections. Recommendation: Oppose unless amended.**

SB 8	Soto	Conflicts of interest	12/6/04
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This bill extends the one-year post-governmental employment restrictions currently applicable to state public officials to local elected officials, county chief administrative officers, city managers or administrators, and special district general managers or chief administrators. **Introduced; awaiting assignment to Senate Elections. Recommendation: Oppose unless amended.**

Legislative Report

January 6, 2004

Action Items		Bills Amending the Political Reform Act (cont'd)	
Bill No.	Author	Title	Introduced/Amended

SB 11 Bowen Contributions: voting equipment manufacturers or vendors 12/6/04

This bill prohibits a candidate for elective state or local office from accepting any contributions from a manufacturer or vendor of voting equipment or systems. **Introduced; awaiting assignment to Senate Elections. Recommendation: Oppose unless amended.**

SB 36 Florez 501(c)(4) issue advocacy disclosure 12/6/04

This bill would require nonprofit (501(c)(4)) organizations to file campaign disclosure reports as a recipient committee if they spend \$1,000 or more in a calendar year on advertisements that do not expressly advocate, but clearly identify a state candidate or a ballot measure. **Introduced; awaiting assignment to Senate Elections. Recommendation: Oppose unless amended.**

Informational Items		Bills Not Amending the PRA	
Bill No.	Author	Title	Introduced/Amended

SB 18 Ortiz Reproductive health and research 12/6/04

This bill would declare that it is the intent of the Legislature that the Independent Citizen's Oversight Committee define which positions would be subject to the Political Reform Act and that the requirements for the reporting of economic interest be commensurate with those required of state agency appointees.

ACR 1 McLeod Proposition 71: stem cell research 12/6/04

This measure would urge the Independent Citizen's Oversight Committee established pursuant to Proposition 71 approved by the voters at the November 2, 2004, general election, to adopt robust conflict-of-interest standards for itself and for the members of its working groups, to comply with standards set forth in provisions of law relating to open meetings of public agencies and public records, and to report to the Legislature by April 1, 2005.